

EXHIBIT 4

DAVID BROWNSTEIN
AMY BARTOLETTI vs CITIGROUP INC.

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149-152

<p style="text-align: right;">Page 149</p> <p>1 D. BROWNSTEIN</p> <p>2 you compare what South Dakota does in the</p> <p>3 market compared to what Texas does in the</p> <p>4 market, again, you have to look at population</p> <p>5 to determine where is the most houses, and</p> <p>6 therefore, the most debt that will be issued</p> <p>7 longer term.</p> <p>8 Q. I am talking about 2008.</p> <p>9 A. I am talking about 2008 and</p> <p>10 looking forward. You can't only look</p> <p>11 backwards, you have to look forwards everyday.</p> <p>12 And if you look forwards and look at how much</p> <p>13 debt South Dakota has issued since then,</p> <p>14 versus Texas, the difference is dramatic.</p> <p>15 Q. But in 2008 and even before,</p> <p>16 wasn't South Dakota a bigger client than</p> <p>17 Texas?</p> <p>18 MR. TURNBULL: Objection to the</p> <p>19 form.</p> <p>20 A. I look at them very differently</p> <p>21 than you do.</p> <p>22 Q. In terms of revenue?</p> <p>23 A. Again, I don't look backwards, I</p> <p>24 look forwards everyday. So I look at where</p> <p>25 the opportunity is going forward were for us,</p>	<p style="text-align: right;">Page 151</p> <p>1 D. BROWNSTEIN</p> <p>2 A. Yes, absolutely.</p> <p>3 Q. Which ones?</p> <p>4 A. Those same three.</p> <p>5 Q. How about Texas?</p> <p>6 A. I don't believe so. I don't know</p> <p>7 who else was involved in Texas, but I don't</p> <p>8 know. But I don't believe so.</p> <p>9 Q. How about Cal housing?</p> <p>10 A. I believe at that point really</p> <p>11 Mike was the one who was integrally covering</p> <p>12 Cal housing.</p> <p>13 Q. But you are not sure?</p> <p>14 A. I believe so.</p> <p>15 Q. And what other large clients was</p> <p>16 Mike the lead banker on?</p> <p>17 A. Hawaii housing. Again, you are</p> <p>18 asking me to remember a lot of names. I just</p> <p>19 simply going back that far, I don't remember</p> <p>20 exactly who they were.</p> <p>21 Q. And were there any duplicative</p> <p>22 relationships with Hawaii?</p> <p>23 A. Yes.</p> <p>24 Q. Hawaii is a small population</p> <p>25 though, isn't it?</p>
<p style="text-align: right;">Page 150</p> <p>1 D. BROWNSTEIN</p> <p>2 from that date forward in figuring out what</p> <p>3 the right business decisions are, not what we</p> <p>4 did last year. What we did last year won't</p> <p>5 help me make money this year.</p> <p>6 Q. Why do you believe that Koessel</p> <p>7 had stronger relationships with larger clients</p> <p>8 than Amy?</p> <p>9 A. Because she wasn't covering those</p> <p>10 same types of clients generally, right. And</p> <p>11 so the clients that she was covering were the</p> <p>12 large clients like New Jersey, she was</p> <p>13 duplicative with other people who had the</p> <p>14 relationships with the clients. So her</p> <p>15 importance to the retention of that client was</p> <p>16 limited.</p> <p>17 Q. What clients did she have</p> <p>18 duplicative relationships with?</p> <p>19 A. As I said, New Jersey as an</p> <p>20 example. Connecticut, Massachusetts.</p> <p>21 Q. Any others?</p> <p>22 A. Those are the ones that come to</p> <p>23 mind right now.</p> <p>24 Q. And did Mr. Koessel have any</p> <p>25 relationships that were duplicative?</p>	<p style="text-align: right;">Page 152</p> <p>1 D. BROWNSTEIN</p> <p>2 A. Hawaii has a very challenging</p> <p>3 housing market uniquely. In that, work force</p> <p>4 housing is a real problem. That's a problem</p> <p>5 that will be solved with building. In other</p> <p>6 words, the problem in Hawaii is the general</p> <p>7 worker can't afford to live there, so there</p> <p>8 needs to be lower to moderate income housing.</p> <p>9 Q. With respect to the population of</p> <p>10 Hawaii, Hawaii is not likely to issue a lot of</p> <p>11 debt?</p> <p>12 A. Like I said, its got a unique</p> <p>13 problem that is driven by the cost of housing.</p> <p>14 So you literally have workers living in tents</p> <p>15 because they can't afford housing.</p> <p>16 Q. Do you know if Amy's clients has</p> <p>17 any unique problems with housing?</p> <p>18 A. I think Hawaii is the only unique</p> <p>19 one in the United States.</p> <p>20 Q. In the second sentence, states</p> <p>21 that:</p> <p>22 "Mike was making forward thinking</p> <p>23 efforts to try to creatively</p> <p>24 reinvigorate the housing group's efforts</p> <p>25 in the financial crisis."</p>



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1 D. BROWNSTEIN
2 What forward thinking efforts was
3 he making to try creatively reinvigorate?
4 A. The problem that we have and had
5 starting with the crisis about a year before
6 the crisis really became difficult, was this
7 floating rate market that required that our
8 clients get credit enhancement from outside
9 sources. And it was very difficult to find
10 credit enhancement. Yet it was a necessity
11 for our clients to maintain their business
12 models.
13 Mike spent time in Washington
14 working with Fannie and Freddie and the
15 federal government trying to find solutions to
16 those problems. And he did, he actually was a
17 part of the solutions that Fannie and Freddie
18 created for the housing market.
19 Q. That was after 2008, correct?
20 A. I don't know when those solutions
21 actually first hit the world, whether they
22 were before or after, I don't know.
23 Q. Was Amy making any -- I am sorry.
24 When was Mike in Washington making these
25 efforts?

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1 D. BROWNSTEIN
2 A. I can't give you dates. I don't
3 have that kind of memory for you.
4 Q. Was Amy making any forward
5 thinking efforts to creatively reinvigorate
6 the housing group's efforts?
7 A. Not that I am aware of.
8 Q. In that sentence it also states
9 that Mr. Koessel had more experience in the
10 housing piece of the housing group's business.
11 Do you know if that is a true
12 statement?
13 A. What it says is:
14 "In the housing group piece of the
15 housing group's business."
16 Q. Right.
17 A. So what how I would read that is
18 that while Amy had experience with both the
19 housing group and the student loan group's
20 part of the business.
21 Q. So do you believe that Mike had
22 more experience in the housing piece of the
23 housing group's business?
24 MR. TURNBULL: Objection.
25 A. Yes, because he had no experience

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1 D. BROWNSTEIN
2 with the student loan piece.
3 Q. So is that based on the fact that
4 he spent 100 percent of his time doing housing
5 transactions?
6 A. That he would be the one who had
7 the experience in housing, while Amy had the
8 experience in housing and student loans,
9 correct.
10 Q. But Amy worked at Citigroup longer
11 than Mike, correct?
12 A. Yes.
13 Q. And Amy was doing housing
14 transactions throughout her career in
15 Citigroup, correct?
16 A. I don't that, but okay, let's
17 assume you are correct.
18 Q. And Mike was doing housing
19 transactions at Citigroup his entire time,
20 correct?
21 A. Correct.
22 Q. So why do you believe that Mike
23 had more experience in the housing piece than
24 Amy if Amy was there longer?
25 MR. TURNBULL: Objection. Asked

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1 D. BROWNSTEIN
2 and answered.
3 A. A couple of questions I ask you.
4 Are you suggesting Mike didn't do housing
5 before he came to Citi?
6 Q. I am not suggesting anything.
7 A. Okay.
8 Q. I want to know if -- I want to
9 know what you are taking into account.
10 A. What you were suggesting is that
11 the time period that Amy and Mike were each at
12 Citi was different, and therefore, would put
13 her in a different position. What I am
14 suggesting is that Mike was involved in the
15 housing market before he came to Citi.
16 Q. So are you basing this on their
17 entire career?
18 MR. TURNBULL: Objection. Basing
19 what?
20 MR. DATOO: The fact that Mike had
21 more experience in the housing piece of
22 the housing group's business.
23 MR. TURNBULL: You mean his
24 interpretation of what that means?
25 MR. DATOO: I asked him if this --



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1 D. BROWNSTEIN
2 MR. TURNBULL: He told you what
3 his interpretation was.
4 MR. DATOO: Are you going to let
5 me finish? I asked him if these were
6 the reasons why Amy was let off and he
7 said yes. So now I am asking him why he
8 believes that Mike had more experience
9 in the housing piece of the housing
10 group's business than Amy. I am trying
11 to get to the bottom of this.
12 MR. TURNBULL: First of all, the
13 question you represented to have asked
14 him is not what you asked him. With
15 respect to this clause, he told you how
16 he was interpreting the language that
17 was written by a lawyer at Morgan,
18 Lewis.
19 MR. DATOO: Okay.
20 Q. Let me ask you this, do you
21 believe that Mike had more experience in the
22 housing piece of the housing group's business?
23 A. Again, how I read this --
24 Q. I am not concerned about this
25 anymore. I am asking you. This aside, do you

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1 D. BROWNSTEIN
2 believe that Mike Koessel had more experience
3 in the housing piece of the housing group's
4 business?
5 A. I believe that they both had and
6 have significant experience in the housing
7 space. However, I do believe that Mike has
8 more, much more experience and expertise in
9 talking to people about the challenges in the
10 market and solutions to those challenges.
11 Q. Okay. I am sorry, are you
12 finished?
13 A. Yes, I am finished.
14 Q. My question is: Experience in the
15 housing piece of the housing group's business,
16 who do you believe has more experience, if
17 anyone has more experience?
18 A. My personal view as of today is
19 Mike has more experience and has more
20 expertise in that space.
21 Q. I am going back to 2008.
22 A. Based on what I know today, I
23 would say Mike did.
24 Q. I am going back to 2008.
25 A. Based on what I know today, I

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1 D. BROWNSTEIN
2 would say Mike did.
3 Q. Based on what you know today, the
4 amount of experience that Mike and Amy had as
5 of 2008?
6 A. Correct.
7 Q. You testified earlier that Mike
8 worked in housing prior to coming to
9 Citigroup?
10 A. I didn't testify to that as far as
11 I know, but I believe he did.
12 Q. And are you taking that into
13 account?
14 A. I am taking my -- back in '08 what
15 my experience in working with the two of them
16 showed me about each of them.
17 Q. And did you consider who had more
18 experience in the housing piece of the housing
19 group's business in connection with your
20 decision to select Amy for layoff?
21 A. As part of the overall decision
22 process, yes.
23 Q. Okay.
24 THE VIDEOGRAPHER: We're now going
25 off the record at approximately

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1 D. BROWNSTEIN
2 12:51 P.M., this is the end of disk
3 number two.
4 (Time noted: 12:51 P.M.)
5 A F T E R N O O N S E S S I O N
6 August 30, 2012
7 1:56 P.M.
8 D-A-V-I-D B-R-O-W-N-S-T-E-I-N, resumed and
9 testified further as follows:
10 EXAMINATION (Continued)
11 BY MR. DATOO:
12 THE VIDEOGRAPHER: This is the
13 beginning of disk number three in the
14 Brownstein deposition. We're going back
15 on the record at 1:56 P.M..
16 Q. Mr. Brownstein, did you ever go on
17 vacation with any Citigroup employees?
18 A. Loads of vacations with Citigroup
19 employees.
20 Q. And were they in connection with
21 Citigroup functions or personal?
22 A. Personal.
23 Q. When you say "loads," how many are
24 you talking about?
25 A. The last trip I went on was with



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1 D. BROWNSTEIN
2 probably eight or ten Citigroup people.
3 Q. And would you consider these
4 people your friends?
5 A. Friends, acquaintances.
6 Q. And did you ever go on vacation
7 with any female employees of Citigroup?
8 A. Well, the last vacation I went on
9 was with a group of people, but, you know,
10 Tricia Strasso was with me. She is who went
11 with me on the vacation. Let's see, other
12 employees have their spouses or fiances or
13 girlfriends with them. So you know, it
14 varied.
15 Q. But with respect to Citigroup
16 employees, were any of these fiances or
17 spouses Citigroup employees?
18 A. No.
19 Q. When did you go on this last
20 vacation with, was it Tricia?
21 A. Tricia and it was a fairly big
22 group. It was to Jamaica, it was about two
23 years ago.
24 Q. And other than -- I am sorry,
25 Tricia?

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1 D. BROWNSTEIN
2 A. Tricia.
3 Q. Other than Tricia, has any female
4 employee from Citigroup gone on vacation with
5 you?
6 A. Well, there were other female
7 employees at -- I mean, this was a function we
8 went to, personal function. Amy Yang was
9 there. Jeanette Price was there. It was a
10 couple of years ago, so I'd have to think
11 about a whole list of who was there.
12 Q. What was the personal function?
13 A. It was Amy and John's wedding.
14 Q. Okay. It was a destination
15 wedding?
16 A. Yes.
17 Q. So they invited you to come to the
18 wedding?
19 A. Ahem. Yes.
20 Q. Now other than this wedding, have
21 you gone on vacation with any Citigroup
22 employees?
23 A. Sure. As I said --
24 Q. Female Citigroup employees.
25 A. I'd need to think back. I haven't

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1 D. BROWNSTEIN
2 done that -- gone on vacation with Citigroup
3 employees probably in ten years, so it would
4 be a long time ago. I'd have to go back and
5 think about it.
6 Q. Okay.
7 A. Probably 15 years ago, before that
8 one.
9 Q. Now as you sit here today, can you
10 remember going on vacation with any Citigroup,
11 female Citigroup employees, other than this
12 wedding?
13 A. That was really a vacation. I
14 mean, it was partly a wedding, but we were
15 going on vacation. So we rented a villa,
16 stayed in a villa. It was Trish and me and
17 three other people from -- not all of them
18 from Citigroup, but again, I'd have to go back
19 because I don't think I have been on vacation
20 before that with Citi people for a long time.
21 Q. Did you ever go on vacation with
22 Mike Koessel?
23 A. No.
24 Q. What is Tricia's position at
25 Citigroup?

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1 D. BROWNSTEIN
2 A. She is an administrative
3 assistant.
4 Q. When you were either head or
5 co-head of the derivatives group, did you
6 evaluate your employees on their performance?
7 A. Sure.
8 Q. And do you recall being in a
9 situation where you were only allowed to
10 numerically grade people -- strike that. Do
11 you recall ever being capped at how many 1's
12 or 2's or 3's you could give to your
13 employees?
14 A. No.
15 Q. Do you believe that this cap was
16 instituted once you became co-head of the
17 public finance department?
18 A. I can't remember a time.
19 Q. What was Chia Siu's job title in
20 November of 2008?
21 A. She was an analyst in the housing
22 group.
23 Q. And what were her job duties?
24 A. She ran numbers, she did
25 presentation books, she assisted with

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1 D. BROWNSTEIN
2 closings. The same time things that every
3 analyst does.
4 Q. What's the difference between the
5 job duties of an analyst and the job duties of
6 an associate in the housing group?
7 A. Well, again, I don't think the job
8 description would be very different, you'd
9 expect an associate to take on more
10 responsibility themselves. And to need less
11 supervision doing those responsibilities than
12 an analyst.
13 Q. Is that true of the housing group,
14 the expectation?
15 A. That would be the expectation of
16 all analysts and associates.
17 Q. Companywide?
18 A. In our business.
19 Q. I am sorry?
20 A. In the municipal securities
21 business.
22 Q. And when you say more
23 responsibility, what exactly do you mean?
24 A. Well, as I said, I think that the
25 functions would be fairly similar, but the

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1 D. BROWNSTEIN
2 expectations are that the associate would take
3 on more of the responsibility, meaning that
4 they would need less supervision to do the
5 work accurately themselves.
6 Q. Were you familiar with Chia's work
7 performance?
8 A. I understood that Chia did a very
9 good job, yes.
10 Q. How so?
11 A. That's what Amy and Mike
12 continually told me.
13 Q. Did you ever have any
14 conversations with Nick Fluehr about Chia's
15 work performance?
16 A. Not that I recall.
17 Q. Were you aware of any deficiencies
18 in Chia's performance?
19 A. Not that I am aware of, no.
20 Q. Did you ever have a discussion
21 with Mike Koessel about Chia's work
22 performance?
23 A. I don't recall, but I would be
24 surprised if I didn't with him and with Amy.
25 Q. And do you recall who initiated

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1 D. BROWNSTEIN
2 these conversations or the conversation you
3 had with Mike Koessel?
4 MR. TURNBULL: Objection to the
5 form. You can answer.
6 A. Well, Amy and Mike were very
7 concerned, as I believe you know, back when
8 Nick was let go that she was going to leave.
9 And so they talked to me about her. I met
10 with her to talk about it, her concern was --
11 so yes, they in fact did speak to me about her
12 specifically at that time, but that wasn't
13 about her performance.
14 Q. What do you remember being told
15 about Chia's performance?
16 A. I was told she did superb work.
17 Q. Who told you that?
18 A. Mike and Amy.
19 Q. Did Mike ever compare her to other
20 associates he's seen?
21 MR. TURNBULL: Objection to the
22 form.
23 A. I don't recall.
24 Q. Did Mike ever tell you that she
25 was one of two really exceptional analysts he

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1 D. BROWNSTEIN
2 has seen while at Citi?
3 A. He may have. It doesn't surprise
4 me to hear that he would say that.
5 Q. Why wouldn't it surprise you?
6 A. Because both he and Amy said she
7 was very good.
8 Q. Did you have a chance to observe
9 her work performance while you were managing
10 the housing group?
11 A. No.
12 Q. Why is that?
13 A. There would be no reason for me to
14 on a day-to-day basis deal with an analyst in
15 the housing group.
16 Q. Who would be responsible for
17 dealing with an analyst?
18 A. Amy --
19 MR. TURNBULL: Objection to the
20 form. Go ahead.
21 A. Amy, Mike, Ping, they would have
22 been the ones that day to day would have dealt
23 with the analysts and associates.
24 Q. And they would have been managing
25 the analyst?



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1 D. BROWNSTEIN
2 him on this transaction?
3 A. I can't tell you timing.
4 Q. What did you think about his work
5 performance?
6 A. I thought Ray was very good. I
7 think he is very good.
8 Q. Did you ever work with Ping?
9 A. Yes, I did.
10 Q. On a transaction?
11 A. There were a couple of times Ping
12 needed help with things that she would come to
13 me for assistance with. So I had the
14 opportunity to work with her as well.
15 Q. What did you think about her work
16 performance?
17 A. I thought she was very, very good.
18 Q. Do you know who Jian Yang is?
19 A. I know the name and that was a
20 member of the housing group at some point. I
21 don't know when.
22 Q. Do you know him as Jian Yang?
23 A. Yes.
24 Q. Did you ever have the opportunity
25 to work with Jian Yang?

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1 D. BROWNSTEIN
2 A. No.
3 Q. Did you know anything about his
4 work performance?
5 A. I didn't.
6 Q. And other than the time or times
7 he worked with Raymond Hsieh, did you know
8 anything about his work performance?
9 A. Well, I heard from both Amy and
10 Mike as well that he was very, very good.
11 They were very happy with almost everyone in
12 that group.
13 Q. Was there someone they were not
14 happy with?
15 A. They just didn't comment on
16 everybody. So when I say very, very happy, it
17 is because they would tell me they were very
18 happy with them.
19 Q. Did you ever in 2008, did you ever
20 review any analyst or associates performance
21 evaluations?
22 A. No.
23 Q. Did you ever participate in any of
24 their performance reviews?
25 A. No.

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1 D. BROWNSTEIN
2 Q. Did you ever participate in any
3 way?
4 A. I am sorry?
5 Q. Did you ever comment on their
6 performance evaluations, make any comments in
7 their evaluations?
8 A. No.
9 Q. Now did there come a time when you
10 were involved in discussions about promoting
11 Chia?
12 A. Yes.
13 Q. When was that?
14 A. Right after Nick was let go in
15 RIF.
16 Q. Can you tell me about those
17 conversations?
18 A. What I could tell you is that Amy
19 and Mike were both concerned that Chia would
20 leave and they wanted to see -- they wanted
21 two things. One, they wanted me to talk with
22 her about where we were headed as a business.
23 And two, they wanted to find out whether we
24 would could promote her to associate to try
25 and give her incentive to stay.

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1 D. BROWNSTEIN
2 Q. And did you talk to Chia?
3 A. Yes.
4 Q. How long after this conversation
5 with Amy and Mike?
6 MR. TURNBULL: Objection to the
7 form.
8 A. I believe it was the next day.
9 Q. Did you have a conversation with
10 Amy -- strike that. Did you have a
11 conversation about Chia with Amy and Mike
12 together?
13 A. I don't know.
14 Q. What did you talk to Chia about?
15 A. As I said, Chia's concern was as
16 much as anything, whether we were committed to
17 being in the housing business. And what I
18 told her was that this was clearly a very
19 challenging time, not just for the industry
20 but for also particularly for Citi. And that
21 while we hoped we would continue to be in that
22 business, I couldn't give her any guarantees
23 as to whether we would be or not.
24 Q. Did you say anything else to her?
25 A. I told her that I heard that her

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<p style="text-align: right;">Page 177</p> <p>1 D. BROWNSTEIN</p> <p>2 work was very good, that we'd like to have her</p> <p>3 continue with us, and I don't know if it was</p> <p>4 in that discussion, but at some point along</p> <p>5 the way we got approval from HR to tell her</p> <p>6 that we would promote her to associate in</p> <p>7 December or for January. And so I am sure I</p> <p>8 passed along that information to her as well.</p> <p>9 Q. What did Chia say to you when you</p> <p>10 had this discussion?</p> <p>11 A. She said that -- the only things I</p> <p>12 recall her saying was that she wasn't sure</p> <p>13 that she was going to stay, that she still</p> <p>14 wasn't very comfortable and would think about</p> <p>15 it. And that was my only discussion with her.</p> <p>16 Q. Do you recall at what point you</p> <p>17 were given approval by HR to promote her?</p> <p>18 A. I don't.</p> <p>19 Q. And when you had this, was this</p> <p>20 after you had this conversation with Chia?</p> <p>21 A. I don't recall.</p> <p>22 Q. Well, did you tell her this</p> <p>23 conversation that she was going to be</p> <p>24 promoted?</p> <p>25 A. I would have only done it after I</p>	<p style="text-align: right;">Page 179</p> <p>1 D. BROWNSTEIN</p> <p>2 told her her promotion was approved?</p> <p>3 MR. TURNBULL: Objection. Asked</p> <p>4 and answered. It's the exact same</p> <p>5 thing.</p> <p>6 Q. You can answer.</p> <p>7 A. What I tell you is that, we never</p> <p>8 got a full answer from Chia as to whether she</p> <p>9 was going to stay. So irrespective of whether</p> <p>10 that discussion included that she be promoted</p> <p>11 or not, she never told us she was at a point</p> <p>12 where she was comfortable staying at the firm.</p> <p>13 Q. I appreciate that, but my question</p> <p>14 was, did you when you had this conversation</p> <p>15 with Chia, where she allegedly told you she</p> <p>16 wasn't sure if she was going to stay, was that</p> <p>17 before or after you told her her promotion was</p> <p>18 approved?</p> <p>19 MR. TURNBULL: Objection.</p> <p>20 A. In both instances, before and</p> <p>21 after. She never told me she was comfortable</p> <p>22 she was going to stay at the firm. So that</p> <p>23 would be my first discussion with her, and</p> <p>24 then if it was separate, the discussion where</p> <p>25 I offered her a promotion in December.</p>
<p style="text-align: right;">Page 178</p> <p>1 D. BROWNSTEIN</p> <p>2 had approval from HR, so I can't tell you the</p> <p>3 timing of each piece of that.</p> <p>4 Q. And when Chia -- when you had this</p> <p>5 conversation with Chia and she said she</p> <p>6 allegedly said she wasn't going sure she was</p> <p>7 going to stay. Was that before or after you</p> <p>8 told her that her promotion is approved?</p> <p>9 MR. TURNBULL: That's the same</p> <p>10 question you just asked with different</p> <p>11 words.</p> <p>12 A. I have to go back. "Alleged"</p> <p>13 means you are implying that I am not telling</p> <p>14 you the truth. I am telling you the truth.</p> <p>15 If you are going to ask me questions about the</p> <p>16 facts I present to you, follow them as you</p> <p>17 could say as you said, okay. But I don't want</p> <p>18 to be second-guessed on what I am saying to</p> <p>19 you. I am here under oath stating the facts</p> <p>20 as I recall them.</p> <p>21 Q. Please don't tell me how to ask</p> <p>22 the questions. I just want to know if you</p> <p>23 when you spoke to Chia and she said,</p> <p>24 allegedly, that she was wasn't sure if she was</p> <p>25 going to say, was that before or after you</p>	<p style="text-align: right;">Page 180</p> <p>1 D. BROWNSTEIN</p> <p>2 Q. Do you recall having the second</p> <p>3 discussion with her?</p> <p>4 MR. TURNBULL: Objection. Asked</p> <p>5 and answered.</p> <p>6 A. I don't recall whether was two</p> <p>7 discussions or not. I do know that she was</p> <p>8 sent a letter from HR for promotion to</p> <p>9 associate, which as far as I heard from HR,</p> <p>10 she never signed.</p> <p>11 Q. Are you sure that was a letter</p> <p>12 regarding a promotion to associate?</p> <p>13 A. Yes.</p> <p>14 Q. You are absolutely positive?</p> <p>15 MR. TURNBULL: Objection.</p> <p>16 A. I believe that's the case.</p> <p>17 Q. So you are not sure now?</p> <p>18 A. I believe that's the case. That's</p> <p>19 my best recollection.</p> <p>20 Q. Who had to approve the promotion</p> <p>21 for Chia?</p> <p>22 A. Someone in human resources. I</p> <p>23 can't tell you who that would have been at the</p> <p>24 time. It would have probably been Denise</p> <p>25 Dominguez.</p>

DAVID BROWNSTEIN
AMY BARTOLETTI vs CITIGROUP INC.

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181-184

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1 D. BROWNSTEIN

2 Q. Does she determine who gets

3 promoted in the groups or do you or Frank Chin

4 make that determination?

5 A. Chia's promotion would have been

6 an off-cycle promotion. We don't approve

7 off-cycle promotions, they have to go to human

8 resources for approval.

9 Q. And if human resources approves

10 off-cycle promotion, then is it up to you and

11 Mr. Chin to determine whether this person is

12 going to be promoted or not?

13 A. Correct.

14 Q. Does Mr. Feinstein play a role in

15 promotion decisions for analysts and

16 associates?

17 A. Absolutely.

18 Q. Do you know if he was consulted

19 with respect to Chia's promotion?

20 A. I don't. I don't know if he would

21 have been consulted or on that since it was an

22 off-cycle promotion.

23 Q. Do you know why he would -- why

24 would an off-cycle promotion leave him out of

25 the loop on those?

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1 D. BROWNSTEIN

2 MR. TURNBULL: Objection to the

3 form. That's not the testimony.

4 Q. Let me ask it a different way.

5 Why would he not be consulted on an off-cycle

6 promotion?

7 MR. TURNBULL: Objection to the

8 form.

9 A. He may have been consulted, but he

10 wouldn't have been needed to be consulted.

11 Q. Why not? Why not?

12 A. Because we don't need to consult

13 him. It is not part of his traditional

14 functions.

15 Q. If it was an on-cycle promotion,

16 would he have to be consulted?

17 A. Well, he wouldn't have to be

18 consulted, but he would have been consulted.

19 Q. And why is that?

20 A. Why which part?

21 Q. Why would he be consulted?

22 A. Because he is responsible for

23 management of the analyst.

24 Q. And associates or just analysts?

25 A. Just analysts.

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1 D. BROWNSTEIN

2 Q. And so he is not required to be --

3 he is not required to participate in promotion

4 decisions for analysts?

5 A. If it is an off-cycle promotion

6 for specific unique business reasons, that's a

7 decision Frank and I can make on our own.

8 Q. Why did you agree to promote Chia?

9 A. I think I have said this to you

10 before. One of the challenges of going

11 through four RIFs is that you unfortunately

12 lose very good people, very important people

13 to our business. You don't want to go through

14 a RIF and then have someone quit, because if

15 they do, now you've reduced your staff even

16 further. So the reason to promote her would

17 be to do our best to retain her, because there

18 was a big question as to whether she would

19 stay.

20 Q. Now after she was informed of the

21 promotion, did she tell you that she was still

22 unhappy?

23 A. My recollection of all my

24 discussions with her were, I am still thinking

25 about it. So it is not that she said I am

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1 D. BROWNSTEIN

2 unhappy or I am happy, it is that she was not

3 prepared to commit at any point in my

4 discussions with her to remaining at the firm.

5 Q. And did she use those specific

6 words?

7 A. I believe her words to me were, I

8 am not sure if I am going to stay, if you want

9 to get specific as to words.

10 Q. And do you know if she ever told

11 Amy that she was going to stay?

12 A. I don't. But I don't believe so,

13 because Amy would have told me and we were

14 always still concerned about whether Chia was

15 going to stay. So I think that information

16 would have been shared with me.

17 Q. Now after you had this

18 conversation with Chia where you told her she

19 was going to be promoted, did you have anymore

20 conversations with her?

21 A. I don't recall.

22 Q. Had you ever spoken to Chia in the

23 past prior to speaking with her at the urging

24 of Amy and Mike?

25 A. Not that I am aware of.



DAVID BROWNSTEIN
AMY BARTOLETTI vs CITIGROUP INC.

August 30, 2012
185-188

<p style="text-align: right;">Page 185</p> <p>1 D. BROWNSTEIN</p> <p>2 Q. And you don't recall if you had</p> <p>3 one or two conversations with Chia?</p> <p>4 A. I don't.</p> <p>5 Q. Do you recall telling Chia that</p> <p>6 you were going to seek a promotion for her?</p> <p>7 A. I don't. But it is quite possible</p> <p>8 then that there were two discussions, one</p> <p>9 where I said we will seek it and one where we</p> <p>10 hadn't, right, but I don't recall the timing.</p> <p>11 There is just -- there were too many other</p> <p>12 things going on for me to remember this one</p> <p>13 event.</p> <p>14 Q. And now after Chia was told she</p> <p>15 was going to be promoted, did you ever hear,</p> <p>16 after you had that discussion with her, did</p> <p>17 you ever hear anything about her being unhappy</p> <p>18 at Citigroup?</p> <p>19 A. I did hear she hadn't decided</p> <p>20 whether she was going to stay irrespective.</p> <p>21 Q. This was subsequent to the</p> <p>22 conversation?</p> <p>23 A. Correct.</p> <p>24 Q. The second conversation you may</p> <p>25 have had with her?</p>	<p style="text-align: right;">Page 187</p> <p>1 D. BROWNSTEIN</p> <p>2 Q. Do you know when she didn't sign</p> <p>3 this letter?</p> <p>4 A. I don't.</p> <p>5 MR. TURNBULL: Objection to the</p> <p>6 form.</p> <p>7 MR. DATOO: Point taken.</p> <p>8 Q. Do you know when this letter was</p> <p>9 presented to her?</p> <p>10 A. I don't.</p> <p>11 Q. Do you know when she had to sign</p> <p>12 it by?</p> <p>13 A. I don't.</p> <p>14 Q. Could she have worked at Citigroup</p> <p>15 without signing this letter?</p> <p>16 A. Yes.</p> <p>17 Q. Do you recall telling her that she</p> <p>18 is being promoted after she didn't sign this</p> <p>19 letter? I am sorry, after the letter was</p> <p>20 presented to her.</p> <p>21 A. I don't know.</p> <p>22 Q. So you don't know if the letter</p> <p>23 was presented to her after you told her she</p> <p>24 was being promoted?</p> <p>25 A. I don't.</p>
<p style="text-align: right;">Page 186</p> <p>1 D. BROWNSTEIN</p> <p>2 A. Correct.</p> <p>3 Q. And who did you hear that from?</p> <p>4 A. Both Amy and Mike.</p> <p>5 Q. So Amy told you that Chia still</p> <p>6 wasn't sure she wanted to stay, even after you</p> <p>7 told her that she was going to be promoted</p> <p>8 effective December?</p> <p>9 A. Correct.</p> <p>10 Q. And Mike said the same thing?</p> <p>11 A. Correct.</p> <p>12 Q. Did you hear anything else from</p> <p>13 anybody else?</p> <p>14 A. I heard that she -- once she</p> <p>15 received again the promotion letter, that we</p> <p>16 hadn't received a signed copy back.</p> <p>17 Q. Do you know if it was a letter</p> <p>18 regarding her being a third year analyst or</p> <p>19 her being promoted?</p> <p>20 A. I don't. It could have been her</p> <p>21 third year analyst letter that she didn't</p> <p>22 sign. I don't know which. I know that -- I</p> <p>23 recall that she didn't sign a letter that was</p> <p>24 -- would have been her contract for continued</p> <p>25 service to the firm.</p>	<p style="text-align: right;">Page 188</p> <p>1 D. BROWNSTEIN</p> <p>2 Q. And you don't recall the date you</p> <p>3 told her when she was being promoted?</p> <p>4 A. No.</p> <p>5 Q. Do you know how long the process</p> <p>6 was between the time Amy and Mike approached</p> <p>7 you about promoting Chia and the time it took</p> <p>8 for her to be promoted?</p> <p>9 MR. TURNBULL: Objection to the</p> <p>10 form.</p> <p>11 A. I don't.</p> <p>12 Q. Do you know if it was more than a</p> <p>13 month?</p> <p>14 MR. TURNBULL: Objection to the</p> <p>15 form.</p> <p>16 A. I don't.</p> <p>17 Q. Do you recall having more than one</p> <p>18 conversation with Amy about promoting Chia</p> <p>19 before you told her she was being promoted?</p> <p>20 A. I don't recall.</p> <p>21 Q. The same question for Mike.</p> <p>22 A. I don't recall.</p> <p>23 Q. Who was Raymond Hsieh job title?</p> <p>24 A. I believe he was an associate.</p> <p>25 Q. And what were his job duties?</p>



DAVID BROWNSTEIN
AMY BARTOLETTI vs CITIGROUP INC.

August 30, 2012
197-200

Page 197

1 D. BROWNSTEIN
2 A. Yes.
3 Q. Were you involved in the decision
4 to select Chia for layoff?
5 A. Yes, correct.
6 Q. How were you involved?
7 A. I was the one who put everyone's
8 name on the RIF list who was on there from the
9 housing group.
10 Q. And why did you select Chia for
11 RIF?
12 A. Because my concern as I noted
13 earlier for other people is that if we let
14 other people in that group go that was more
15 likely than not at this point that Chia would
16 choose to leave. And I needed to make sure
17 that the people we kept, that I could do the
18 best job I could to keep them, so that we
19 wouldn't lose more staff than we were already
20 being challenged to lose through the RIF
21 process.
22 Q. So did you select Chia for
23 inclusion in the RIF because you thought she
24 was going to leave?
25 A. Because of the number of people we

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1 D. BROWNSTEIN
2 were going to let go, I was concerned that
3 given the history with Chia over the past six
4 months, that yes, Chia would leave as soon as
5 the other people were RIFed.
6 Q. What do you mean because of the
7 number of people you were going to let go?
8 A. In the housing group, we let four
9 people out of seven go. So if she wasn't in
10 that four and was one of the three remaining,
11 that since she was already concerned when all
12 we got rid of was one person, that we weren't
13 committed to the housing business any longer.
14 And she was concerned about staying. That it
15 was clear to me that she would choose to leave
16 when the group was cut so dramatically through
17 the fourth RIF.
18 Q. Even though she was going to be
19 promoted two months from then?
20 A. Again, I never was given an
21 indication that she had chosen to stay at the
22 firm, irrespective of the fact that we had
23 notified her that we were going to promote
24 her.
25 Q. And if she gave an indication

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1 D. BROWNSTEIN
2 after you told her she was going to be
3 promoted and she was going to stay at the
4 firm, would you still have selected her for
5 layoff?
6 MR. TURNBULL: Objection to the
7 form.
8 A. I don't know since she didn't. I
9 can't answer that question.
10 Q. So was Chia more qualified than
11 any of the people that were retained in the
12 housing group?
13 MR. TURNBULL: Objection to the
14 form.
15 MR. DATOO: What's wrong with the
16 form?
17 MR. TURNBULL: I don't know what
18 you mean by "more qualified."
19 Q. Was Chia qualified, more qualified
20 than anybody else that remained in the housing
21 group?
22 MR. TURNBULL: Objection to the
23 form.
24 A. Again, this isn't about anything
25 more than making sure we maintained staffing

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1 D. BROWNSTEIN
2 and that what we had were people who would
3 continue to work at the firm.
4 My decision process wasn't about
5 whether one employee was more qualified than
6 another at that point.
7 Q. But my question is: Was Chia a
8 better performer than other people you were
9 retained?
10 A. Again, I can't say whether she was
11 a better performer or not because of my direct
12 experience, but that wasn't the decision
13 process I went through.
14 Q. So you don't know who were better
15 performers in the group?
16 A. I think both Ray and Mike are
17 stellar performers and were. And they were
18 the important components of what we kept.
19 Q. How about Ping?
20 A. I think that he was a very junior
21 analyst, and what he could do for us at that
22 point was very simple presentation books,
23 which Mike would need to help him get out
24 there in front of clients and talk about the
25 market.



DAVID BROWNSTEIN
AMY BARTOLETTI vs CITIGROUP INC.

August 30, 2012
201-204

Page 201

1 D. BROWNSTEIN
2 So from the perspective of what we
3 needed at that moment, he was a good candidate
4 for that role.
5 Q. And so is it your testimony that
6 Ping was a better performer than Chia?
7 A. That's not what I said.
8 Q. Okay. Was Jian a better performer
9 than Chia?
10 A. They had different roles in the
11 group. They were both performed admirably
12 within their roles.
13 Q. They were both analyst, right?
14 A. They were different level
15 analysts. There is first year analyst, second
16 year analyst, third year analyst and then an
17 associate. Within each year of analyst
18 programs the expectations is the work that you
19 do is very different, and the knowledge is
20 very different.
21 Q. Could she have done the work that
22 Jian was doing?
23 A. First year's analyst work?
24 Q. Yes.
25 A. If you asked a third year analyst

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1 D. BROWNSTEIN
2 to do first year analyst's work, they will
3 leave because they will be so bored.
4 Q. I am asking, could she have
5 performed his work?
6 A. I have given you my answer.
7 Q. That didn't answer my question. I
8 asked you if she could perform his work.
9 A. I don't know if she could perform
10 his work.
11 Q. You don't know if she could have
12 done the work of a first year analyst?
13 A. And actually continued to do it,
14 no.
15 Q. My question is --
16 A. Did she have the knowledge?
17 Q. Yes.
18 You got to let me finish asking my
19 question.
20 You don't know if Chia could have
21 perform the work of a first year analyst?
22 A. She could have performed the work
23 of a first year analyst, but she wouldn't have
24 stayed and continued to do it because she
25 would have been unhappy.

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1 D. BROWNSTEIN
2 Q. How do you know that?
3 A. Because every analyst is looking
4 for opportunities to growth and improve, not
5 to do work that they did last year.
6 Q. Do you know what Chia was
7 thinking?
8 A. I know that Chia was thinking
9 about whether she should stay at the firm or
10 not, that's what she told me. And never gave
11 me any indication.
12 Q. Did she tell you if she had to do
13 first year analyst work she would leave?
14 A. What she told me she wasn't
15 confident in our interest in being in this
16 business, so she wasn't determined whether she
17 was going to stay or not.
18 Q. I asked you if she told you if she
19 had to do a first year analyst work, would she
20 have?
21 A. Absolutely not.
22 Q. Did you hear from anyone that if
23 she had to do first year analyst's work she
24 would leave?
25 A. No.

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1 D. BROWNSTEIN
2 Q. Okay. Do you know if Pian Yang
3 could have done the work of a third year
4 analyst?
5 A. No, he could not.
6 Q. How about first year associate?
7 A. No, he could not.
8 Q. Is Pian Yang still at Citigroup?
9 A. No.
10 Q. When did he leave?
11 A. I don't know.
12 Q. Did he leave voluntarily?
13 A. I don't know.
14 Q. Do you know how his performance
15 was at the end of '08?
16 A. I don't.
17 Q. Did you contribute in any way to
18 his performance evaluation?
19 A. I don't know.
20 Q. When you decided not to close or
21 when it was decided that the housing group
22 would remain, did you consider Raymond Hsieh
23 for layoff?
24 A. I don't recall.
25 Q. The same question for Jian Yang.



DAVID BROWNSTEIN
AMY BARTOLETTI vs CITIGROUP INC.

August 30, 2012
209-212

Page 209

1 D. BROWNSTEIN

2 A. Fred Hessler and David Cyganowski.

3 Q. They were both based in the New

4 York office, correct?

5 A. Correct.

6 Q. Do you know if they spent a lot

7 time of in Chicago?

8 A. I think Fred and David spent time

9 everywhere. They were always on the road and

10 so was Lisa. I am sure they were together a

11 decent amount, but I don't know specifically

12 where and when.

13 Q. Were there managing directors in

14 the Chicago office?

15 A. Yes.

16 Q. How many?

17 A. In healthcare?

18 Q. Yes. And I am talking about

19 November of 2008.

20 A. In healthcare?

21 Q. Yes.

22 A. November of 2008.

23 Q. That's not going to help you.

24 A. I don't know on a specific date.

25 There were two in healthcare in that office.

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1 D. BROWNSTEIN

2 I don't know when -- one of them was RIFed,

3 and I don't know when that was.

4 Q. Do you know if they would have

5 been in a better position to comment on Lisa's

6 work performance then, the group heads?

7 A. No, I don't believe so.

8 Q. Why not?

9 A. Because I think Lisa worked very

10 closely with David and Fred as with the whole

11 team.

12 Q. Do you recall when Lisa was

13 promoted to vice president?

14 A. I don't.

15 Q. Did she participate in any way in

16 that decision to promote her?

17 A. To vice president?

18 Q. Yes.

19 A. What was her title when she left?

20 Was she a director.

21 Q. I will represent to you that it

22 was director.

23 A. Okay. I don't remember.

24 Q. Prior to the time you became

25 co-head of the public finance department,

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1 D. BROWNSTEIN

2 would you have been involved in the

3 decision-making process to promote people in

4 the healthcare group?

5 A. No.

6 Q. Were you involved at all in the

7 decision to promote Lisa to director?

8 A. Not that I recall.

9 Q. If she was promoted in 2005, would

10 you have been involved in that decision if you

11 were not the co-head of the finance

12 department?

13 A. No.

14 Q. Would Frank Chin have been

15 involved?

16 A. Yes.

17 Q. The same thing going back to vice

18 president, would Frank Chin have been involved

19 in that decision?

20 A. I believe so, yes.

21 Q. Were you ever involved in the

22 decision-making process to promote someone to

23 director?

24 A. I am not a shy person, so if

25 someone is up for promotion that I have a

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1 D. BROWNSTEIN

2 relationship with, there would be no reason I

3 wouldn't speak up, even if I wasn't directly

4 involved.

5 Q. Do you recall ever participating

6 in the decision to promote somebody to

7 director?

8 A. Outside of the business I was in?

9 Q. While at Citi.

10 A. Of course.

11 Q. In your role as group head or

12 co-group head to the derivatives group?

13 A. Sure.

14 Q. And how about in your role as

15 co-head of the public finance department?

16 A. Yes.

17 Q. Do you recall anyone you promoted

18 to director prior to the end of 2008 while you

19 were co-head of the PFD?

20 A. No. I mean, there were many I am

21 sure, but I don't have a specific.

22 Q. What factors did you take into

23 account when determining whether someone

24 should be promoted to director?

25 A. Performance as well as time in



DAVID BROWNSTEIN
AMY BARTOLETTI vs CITIGROUP INC.

August 30, 2012
217-220

Page 217

1 D. BROWNSTEIN

2 Q. Are healthcare clients involved in

3 the derivatives area?

4 A. Correct.

5 Q. Did you ever hear anything

6 negative about Lisa's performance?

7 A. No.

8 Q. Do you know who Ryan Freel is?

9 A. Yes.

10 Q. Who is he?

11 A. He is a director in Chicago.

12 Q. In the healthcare group?

13 A. Correct.

14 Q. Did you ever work with Ryan?

15 A. Yes.

16 Q. What do you think about his

17 performance?

18 A. I think he is a superb marketer,

19 new business banker.

20 Q. And I am talking about from '08

21 prior. I just want to clarify.

22 A. Always.

23 Q. Do you know which clients he had

24 the primary relationship with?

25 A. As I have said, in the healthcare

Page 218

1 D. BROWNSTEIN

2 space, there was no lead banker for an

3 account. I think the only account I could

4 think of in the healthcare space where there

5 weren't three or four bankers working together

6 as partners, would be Bloomington Hospital and

7 that was Lisa because it was very small. But

8 other than that, you know, if I say Ryan's

9 name I would say five other bankers names at

10 the same time.

11 Q. Now is there a difference between

12 being a lead banker and having the primary

13 relationship with the client?

14 A. Sure.

15 Q. And so my question then is, do you

16 know which clients Ryan had the primary

17 relationship with?

18 A. I don't, because that wasn't

19 something in my function that mattered.

20 Q. Your function as the being co-head

21 of public finance?

22 A. No, as the derivatives banker.

23 Q. How about co-head of the public

24 finance?

25 A. I rarely get involved in day to

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1 D. BROWNSTEIN

2 day business with the healthcare clients we

3 have. So I don't know.

4 Q. That would be more for a group

5 head matter?

6 A. Correct.

7 Q. Were you involved in the decision

8 to select Lisa for layoff?

9 A. Not directly, no.

10 Q. Were you involved indirectly?

11 A. Ultimately, the list would have

12 gone to me for approval.

13 Q. Do you know who put Lisa's name on

14 the list?

15 A. No.

16 Q. Do you know if it would have been

17 one of her group heads?

18 A. Yes.

19 Q. But you don't know which one?

20 A. No.

21 Q. Did you and Frank Chin have a

22 discussion about Lisa being included on this

23 list?

24 A. I don't recall.

25 Q. And because you worked with Lisa,

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1 D. BROWNSTEIN

2 thought highly of her, were you surprised that

3 she was on this list?

4 A. No.

5 Q. Were you not surprised she was on

6 this list?

7 A. No.

8 Q. Did you ever speak to the group

9 heads about Lisa's inclusion on the list?

10 A. No.

11 Q. Why not?

12 A. They ran their business, they had

13 to make the decisions that were best for their

14 business. It wasn't my place to get in the

15 middle of that.

16 Q. Was Lisa always on the list?

17 MR. TURNBULL: Objection to the

18 form.

19 A. I don't know.

20 Q. Do you know why the group head

21 selected Lisa?

22 A. I don't.

23 MR. DATOO: Let's take a

24 five-minute break.

25 THE VIDEOGRAPHER: We're now going

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<p style="text-align: right;">Page 221</p> <p>1 D. BROWNSTEIN</p> <p>2 off the record at 3:06 P.M. and this is</p> <p>3 the end of disk number three.</p> <p>4 (Recess taken from 3:06 p.m.</p> <p>5 3:27 p.m.)</p> <p>6 THE VIDEOGRAPHER: This is the</p> <p>7 beginning of disk four in the Brownstein</p> <p>8 deposition. We are now going on the</p> <p>9 record at 3:27 P.M..</p> <p>10 Q. Mr. Brownstein, did you speak to</p> <p>11 Mike Koessel at all about laying Chia off?</p> <p>12 A. I don't recall.</p> <p>13 Q. Do you know if he had any input</p> <p>14 into the decision to lay Chia off?</p> <p>15 A. I don't believe so.</p> <p>16 Q. Did you tell Mr. Koessel that Chia</p> <p>17 was going to be laid off?</p> <p>18 A. I don't believe so.</p> <p>19 Q. Who in the healthcare group did</p> <p>20 you speak to, if anyone, about the fourth RIF?</p> <p>21 A. Generally about the fourth RIF or</p> <p>22 specifically about something?</p> <p>23 Q. Generally about the fourth RIF.</p> <p>24 A. It would have been David or Fred,</p> <p>25 but I don't recall who or both.</p>	<p style="text-align: right;">Page 223</p> <p>1 D. BROWNSTEIN</p> <p>2 A. No.</p> <p>3 Q. Did you hear anything negative</p> <p>4 about her?</p> <p>5 A. No.</p> <p>6 Q. Were you involved in the decision</p> <p>7 to lay Britney off?</p> <p>8 A. Again, as I said before,</p> <p>9 ultimately the list would come to Frank and me</p> <p>10 and we approved the list. So in that respect,</p> <p>11 yes.</p> <p>12 Q. So you weren't involved in</p> <p>13 selecting her for layoff, were you?</p> <p>14 A. No.</p> <p>15 Q. And do you know who was?</p> <p>16 A. No.</p> <p>17 Q. Do you know what group does Tom</p> <p>18 Creed head?</p> <p>19 A. Infrastructure.</p> <p>20 Q. Do you know if Britney was part</p> <p>21 the infrastructure group?</p> <p>22 A. I don't.</p> <p>23 Q. Do you recall ever having a</p> <p>24 discussion with anybody about Britney</p> <p>25 Sharpton?</p>
<p style="text-align: right;">Page 222</p> <p>1 D. BROWNSTEIN</p> <p>2 Q. Do you recall speaking to David or</p> <p>3 Fred specifically about the fourth RIF?</p> <p>4 A. No.</p> <p>5 Q. And when you spoke to David and/or</p> <p>6 Fred, did you give them any criteria about who</p> <p>7 they should be looking at?</p> <p>8 A. No. Again, I don't recall</p> <p>9 speaking to them, but I don't believe we would</p> <p>10 have given criteria, other than that this was</p> <p>11 about revenue -- you know, the cost basis of</p> <p>12 the place.</p> <p>13 Q. Do you know what Britney</p> <p>14 Sharpton's job title was in November of 2008?</p> <p>15 A. No.</p> <p>16 Q. Do you know what her job duties</p> <p>17 were?</p> <p>18 A. No.</p> <p>19 Q. Do you know what group she was in?</p> <p>20 A. No.</p> <p>21 Q. Were you familiar with her work</p> <p>22 performance?</p> <p>23 A. No.</p> <p>24 Q. Did you ever hear about her work</p> <p>25 performance?</p>	<p style="text-align: right;">Page 224</p> <p>1 D. BROWNSTEIN</p> <p>2 A. I don't.</p> <p>3 Q. At any point in time.</p> <p>4 A. I don't.</p> <p>5 Q. Do you know why Britney was</p> <p>6 selected for layoff?</p> <p>7 A. I don't.</p> <p>8 Q. Do you recall speaking to Tom</p> <p>9 Green about the fourth RIF?</p> <p>10 A. Specifically, no.</p> <p>11 Q. What about generally?</p> <p>12 A. No, I mean about the fourth RIF</p> <p>13 when I say versus any RIF.</p> <p>14 Q. Okay.</p> <p>15 A. So I am sure we had discussions,</p> <p>16 but I don't remember a specific about that</p> <p>17 RIF. I am sure there was one, I just don't</p> <p>18 remember.</p> <p>19 Q. Do you recall a discussion?</p> <p>20 A. I don't.</p> <p>21 Q. Do you know if either you or Frank</p> <p>22 Chin gave Mr. Green any criteria about who to</p> <p>23 select for layoff in this group?</p> <p>24 A. I don't.</p> <p>25 Q. Would you have given him any</p>

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1 D. BROWNSTEIN

2 A. No.

3 Q. How many times did you meet Nadine

4 before you invited her over for dinner?

5 A. Many. I came across her in

6 business all the time.

7 Q. You didn't work on any

8 transactions?

9 A. No, but when I was in Orlando and

10 she was in New York, we talked to each other.

11 We work together, we're in the same business,

12 the same firm.

13 Q. Do you know if Nadine was put up

14 for promotion out of cycle?

15 A. I don't.

16 Q. Were you involved in the decision

17 to lay off Nadine?

18 A. As I said before, ultimately the

19 lists came to me and Frank and had to be

20 approved by us. So the answer would be yes.

21 Q. Were you involved in the selection

22 of Nadine for layoff?

23 A. No.

24 Q. Who was responsible for that?

25 A. The regional manager in the region

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1 D. BROWNSTEIN

2 that she worked.

3 Q. How about her group head?

4 A. Her group was a region. She

5 wasn't in the infrastructure, she was in the

6 southeast region, so it is a regional head.

7 Q. Do you know if Nadine worked for

8 the southeast group?

9 A. Region, yes, I believe so.

10 Q. Who was in charge of the

11 southeast?

12 A. Norm Pellegrini.

13 Q. And Bart Livolsi was in charge of

14 all the regions?

15 A. Yes. Correct.

16 Q. Who would have been responsible

17 for selecting Nadine?

18 A. Initially, Norm Pellegrini.

19 Q. Why Norm initially?

20 A. Because she worked for him

21 directly.

22 Q. And would Bart have been involved

23 in that process?

24 A. Potentially could have been, I

25 don't know.

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1 D. BROWNSTEIN

2 Q. Do you know if he was involved in

3 that process?

4 A. I don't.

5 Q. Did you ever speak to Bart about

6 Nadine?

7 A. Not that I can recall, no.

8 Q. Did you ever speak to Norm about

9 Nadine?

10 A. Not that I can recall, no.

11 Q. Do you know what criteria Norm or

12 Bart used in selecting people for layoff?

13 A. No.

14 Q. Specifically with respect to the

15 fourth RIF.

16 A. Correct.

17 Q. So the answer is still no?

18 A. Correct.

19 Q. Do you know if Frank or yourself

20 gave Norm or Bart any criteria to use when

21 determining who to select for layoff?

22 A. I don't remember.

23 Q. Do you know why Nadine was

24 selected for layoff?

25 A. I don't.

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1 D. BROWNSTEIN

2 Q. Do you know who Mike Baldwin is?

3 A. Yes.

4 Q. Who is he?

5 A. He is a director in the Orlando

6 office.

7 Q. Do you know what area he

8 specializes in?

9 A. I don't.

10 Q. Do you know if he worked on school

11 district transactions?

12 A. He does work on school district

13 transactions, yes.

14 Q. Do you know if he did in November

15 of 2008?

16 A. I don't.

17 Q. Do you know how the school

18 district practice was doing in 2008?

19 A. I don't.

20 Q. How is it doing now?

21 A. I don't.

22 Q. You don't know how it is doing

23 now?

24 A. No.

25 Q. Hopefully you will be able to read



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